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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,803	12/21/2001	Toshihiro Takahashi	111126	4007

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EXAMINER

DO, AN H

ART UNIT PAPER NUMBER

2853

DATE MAILED: 03/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,803

Applicant(s)

TAKAHASHI ET AL.

Examiner

An H. Do

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-9 and 11-20 is/are rejected.
- 7) ☒ Claim(s) 4, 6 and 10 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This is the first Office Action on the merits responsive to the filing of the pending application.

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 14 August 2002 was filed and is being considered by the examiner.

Claim Objections

3. Claim 1 is objected to because of the following informalities: change "a photo stand" in the last line to --the photo stand-- to correct some minor antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 5, 7-9 and 11-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi (US 5,057,933).

Regarding claim 1, Takahashi discloses in Figures 1-5 a printer with a photo stand (5, 21) that prints indicia on a recording medium, comprising: a printer having an

outer surface (column 2, line 14); a plurality of engagement portions (20, 20') formed in the outer surface of the printer (column 2, lines 16-20); and the photo stand (21) that is detachably attached to the engagement portions (column 2, lines 20-22).

Regarding claims 2 and 8, it is also disclosed in Figure 3 that the photo stand (5, 21) includes: a frame (5) in which a middle portion (6) is open; a plurality of engaging protrusions (25, 25') that are provided on a rear surface of the frame (5) and engage the respective engagement portions formed in the printer; and a photograph holding portion (21) that is integrally formed to a base portion of each engagement protrusion and urges the photograph by contacting the rear panel.

Regarding claims 3 and 9, it is further disclosed that the rear panel includes a cutaway portion (7) that is formed by cutting away from one side so as to be opened with a substantially U-shape (column 2, lines 35-38).

Regarding claim 5, it is disclosed in Figure 3 that the surface of the printer to which the photo stand is to be attached is provided with protrusions at its upper and lower portions (column 2, lines 40-42).

Regarding claims 7 and 15, it is also disclosed in Figure 3 that the engagement portions (20, 20') are formed in asymmetric positions at a periphery of the printer.

Regarding claims 11 and 13, Takahashi further discloses in Figure 3 a transparent panel (2) that covers a surface of the photograph so as to be able to be seen therethrough.

Regarding claims 12, 14 and 20, it is further disclosed that a rear panel that holds the photograph with the transparent panel (2) from the rear side of the frame (5);

Regarding claims 16 and 17, it is also disclosed in Figure 3 that the frame is provided with a bottom portion having a plurality of recessed portions (25, 25') formed in an upper surface of the bottom portion to receive feet of the printer when the photo stand is attached to the printer (column 2, lines 25-29).

Regarding claim 18, it is also disclosed that the protrusions (9) are equally positioned at four corners (Figure 3) of the surface of the printer to which the photo stand is to be attached.

Regarding claim 19, it is disclosed that the frame has convexly curved surface portions (column 2, lines 38-39).

Allowable Subject Matter

6. Claims 4, 6 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: it is the combined limitations of wherein the frame is provided with a bottom portion that extends in a direction smaller than a right angle by a predetermined angle with respect to the frame, and the printer is inclined at the predetermined angle with respect to a direction perpendicular to an installed plane of the printer when the printer is attached with the photo stand having the bottom portion; wherein a bottom of the printer is provided with a protrusion that prevents the printer inclined at the predetermined angle from falling in a direction of the installed plane; and wherein the

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frame is provided with a bottom portion that extends in a direction smaller than a right angle by a predetermined angle with respect to the frame.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An Do whose telephone number is (703) 308-0525. The examiner can normally be reached from Monday - Friday.

If any attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow Jr., Art Unit 2853, can be reached on (703) 308-3126. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



An H. Do
March 5, 2003